

**CITY OF DEXTER  
ZONING BOARD OF APPEALS  
SPECIAL VIRTUAL MEETING MINUTES  
Tuesday, July 27, 2021  
6:00 pm**

**A. CALL TO ORDER**

Acting Chairperson Wallaker called the meeting to order at 6:01pm.

**B. ROLL CALL:**

K. Becker, participating virtually from the City of Dexter, Michigan  
C. Hill, PC Rep., participating virtually from the City of Dexter, Michigan  
C. Wallaker, participating virtually from the City of Ann Arbor, Michigan  
L. Smerek, Alt., participating virtually from the City of Dexter, Michigan  
J. Griffin, CC Rep., participating virtually from the City of Dexter, Michigan

Absent: Mekas (Excused)

Also attending remotely: Robin Cohen (Alt., observing), Mike Auerbach, Assistant Planner,  
Ms. Cassandra Provenzola, applicant.

**C. APPROVAL OF MINUTES**

1. April 19, 2021 Meeting Minutes

Moved Griffin; support Becker to approve the April 19, 2021 meeting minutes as presented in the meeting packet.

Ayes: Becker, Hill, Wallaker, Smerek, Griffin

Nays: None

**D. APPROVAL OF THE AGENDA**

Moved Griffin; support Smerek to approve the July 27, 2021 Meeting Agenda as presented.

Ayes: Hill, Wallaker, Griffin, Smerek, Becker

Nays: None

**E. STAFF REPORT**

Mr. Auerbach presented the Community Development Manager report as included in the meeting packet and provided verbal updates.

**F. SITE INSPECTION (CONDUCT ON OWN)**

**G. CONFLICT OF INTEREST/EX PARTE DISCLOSURE**

None.

**H. PUBLIC HEARINGS**

**1. AP2020.21-21 ZBA 3134 Baker Road.** Public hearing to consider the following variance requests:

1. A 0.7-foot variance from the 5-foot minimum side yard setback required by Article 20 of the City of Dexter Zoning Ordinance.
2. An 8.4-foot variance from the 10-foot minimum rear yard setback required by Article 20 of the City of Dexter Zoning Ordinance.

Mr. Auerbach presented the staff review of the case and explained that the encroachments that would result from the proposed breezeway are only technical, and would not involve an expansion of the structure towards the side or rear lot lines. Given these circumstances, strict application of the VC District setback requirements may create a practical difficulty.

Mr. Wallaker asked if the elimination of the existing non-conforming setback between the detached garage and dwelling should be a factor in the Board's review. Mr. Auerbach stated that in the context of this variance request, eliminating the existing non-conformity may be considered a reduction in the non-conformities on the property.

Ms. Becker asked if the proposed breezeway would improve drainage overall on the property. Mr. Auerbach stated that staff have not reviewed the potential stormwater impact of the proposed breezeway.

The applicant, Ms. Cassandra Provenzola, presented her request to the Board and commented that she also intends to address the drainage issues on the property.

Mr. Wallaker opened the public hearing at 6:22pm. No members of the public were present. Mr. Wallaker closed the public hearing at 6:22pm.

Following the public hearing and a discussion by the Board regarding the facts of the case, the Board took the following action:

Moved by Hill, with support from Griffin;

Based on the information provided by the applicant and staff at the July 27, 2021 Zoning Board of Appeals meeting, the Board determines that the variances requested in application AP2020.21-21 ZBA 3134 Baker Road, submitted by Ms. Cassandra Provenzola for property located at 3134 Baker Road, Dexter, MI 48130 (08-08-06-153-020) **MEETS** the criteria required for a variance, pursuant to Section 24.06(A).

Therefore, let it be resolved the Zoning Board of Appeals **GRANTS** the following variances:

1. A 0.7-foot variance from the 5-foot minimum side yard setback required by Article 20 of the City of Dexter Zoning Ordinance.
2. An 8.4-foot variance from the 10-foot minimum rear yard setback required by Article 20 of the City of Dexter Zoning Ordinance.

Let it further be resolved a minimum north side yard setback of 4.3 feet and a minimum rear yard setback of 1.6 feet shall **BE PERMITTED** in order for the applicant to construct a breezeway between an existing non-conforming detached garage and an existing single-family dwelling, subject to the following conditions:

1. The extent of the variance is limited to the minimum dimensions necessary to allow the existing garage to remain in place.

The determination was made based on the following findings, per Section 24.06(A), of the City of Dexter Zoning Ordinance (list findings):

1. The lot size, shape, and configuration of the lot would create a practical difficulty if the setback requirements were strictly applied.
2. The requested variance is consistent with the spirit of the City's setback and non-conforming structure requirements.
3. The lot's size, shape, and configuration are not of the applicant's creation.
4. The proposed connection between the two buildings will not create a nuisance.
5. The breezeway will not negatively impact adjacent land uses.
6. The request meets the standard of substantial justice.

Ayes: Becker, Smerek, Griffin, Wallaker, Hill

Nays: None

#### **I. OTHER BUSINESS**

Mr. Auerbach mentioned that the Board will hold the scheduled regular meeting in August to review the current meeting's minutes, and to elect officers.

#### **J. ADJOURNMENT**

Moved Becker, support Griffin to adjourn the meeting at 6:38pm.

Unanimous voice vote of approval.

Respectfully submitted,

Mike Auerbach  
Assistant Planner

Approved for filing: 8/16/21